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November 21, 2011

NOTICE OF EX PARTE

Re: Lifeline and Link Up – WC Docket No. 03-109

On November 17, 2011 at 2 PM EST Ms. Kimberly Scardino and Ms. Jamie Susskind of the Federal Communications Commission (FCC) initiated a conference call with Mr. Eric Sheptock a homeless advocate residing in a homeless shelter in the District of Columbia housing 1350 people, and Mr. Gregory Wragg, Executive Director of STREATS, an organization driven by homeless dealing with matters of homelessness. This conversation was brought forth from an email from Gregory Wragg to Consumer and Governmental Affairs Bureau Chief Joel Gurin requesting that the residency requirement for the free cell phones be changed as they disallow the homeless in streets and shelters the ability to receive the phone and service. Susan K. McLean, Chief, Consumer Affairs & Outreach Division, Consumer & Governmental Affairs Bureau replied advising that Ms. Kimberly Scardino and Ms. Jamie Susskind of the Wireline Competition Bureau would meet with me. A conference call was scheduled.

Early in our conversation it had become apparent to Mr. Sheptock and myself that we had accidentally come into a matter that is presently under review. Ms. Scardino and Ms. Susskind shared the broad scope of the NOTICE OF PROPOSED RULEMAKING to include:

Lifeline and Link Up Reform and Modernization	WC Docket No. 11-42
Federal-State Joint Board on Universal Service	CC Docket No. 96-45
Lifeline and Link Up	WC Docket No. 03-109

Our basis for discussion was the matter of the programs inaccessibility to the homeless due to the residency restrictions, Mr. Sheptock advised of the District's developing a One Card system that will have all the social service information on it for low income individuals to reduce the replication of services and safeguard funding. We were advised of the ex parte process and forwarded links and documents pertaining to the matter.

Upon review of the forwarded information STREATS'Ex Parte addresses:

Lifeline and Link Up Reform and Modernization	WC Docket No. 11-42
Lifeline and Link Up	WC Docket No. 03-109

STREATS seeks to be clear in its intention to the FCC of its primary interest in getting these phones to the most vulnerable citizens in the United States, the homeless. Our opinions and solutions are geared towards those in group homes and shelters and though transferable it is may not be economically feasible to apply them to all.



FCC Comment Request on:

2. One-Per-Residence Limitation. In the *2011 Lifeline and Link Up NPRM*, the Commission proposed to codify a rule that would allow eligible low-income consumers to receive only one Lifeline and Link Up discount per residential address,¹⁹ and sought comment on related issues.²⁰

a. Defining "Household" or "Residence". We seek focused comment on whether a one-per household or one-per-family rule would provide an administratively feasible approach to providing Lifeline/Link Up support, and how the Commission could implement such a rule.²¹

STREATS' Comment:

The above referenced documents and prior paragraph refers to cell phones therefore we seek to address the matter from a Social and Human Services approach that deals with the "individual" and not "household", just as Telephone Technology has moved us from a household "land line" to an individual "cell phone". Prior to cell phones Americans had one landline per household, with the emergence of cell phones everyone in the household (including children) may have cell phones. In fact on June 1, 2011, TracFone Wireless (TracFone) filed an ex parte as they are a wireless cell provider to the program and has the following Q&A on their website under FAQ:

When can I add another TracFone to my Family Plan?

You can add a new TracFone to your Family Plan at the same time you are enrolling your Primary TracFone, or you can add it 3 days before your "Next Payment" date.

The program's providers products are geared towards "the individual", "the family", not "the household."

STREATS questions the attention of the matter being placed on one per low-income residence –vs.- one per low income individual per household, and believes that the present approach to the matter is antiquated without respect to or though of the completely changed household telephone market. Simply ask yourself when was the last time you went shopping for or even looked at in a store a landline for your home phone. Also go to a family's home with an adult(s), and children and over the course of an hour how many times does a family member pick up a landline or even the same phone – quite possible they are all doing something on their own phone.

It is our opinion that the matter should be looked at from the perspective of what is the "low income individual" entitled to and grant benefits accordingly.

Continuation of FCC Comment Request on:

ii. On June 1, 2011, TracFone Wireless (TracFone) filed an ex parte letter that detailed its procedures used to comply with a one-per-household limitation.²⁶ Pursuant to this process, applicants residing in group living facilities may receive Lifeline service after the facility notifies TracFone of its status as a group living facility, provides the number of rooms or beds at the facility, and certifies that the applicant resides at the facility.²⁷ In other cases where multiple households reside at an address, TracFone permits applicants to provide an explanation and documentation to show that unrelated persons residing at that address are part of separate households.²⁸ Finally, TracFone directs applicants residing in multiple



dwelling units without separate unit numbers to contact the U.S. Postal Service to register that address as containing multiple residential units.²⁹ Once that occurs, the applicant may complete its application for Lifeline service with TracFone.³⁰ We seek comment on whether, if the Commission ultimately adopts a one-per household rule (or a one-per-residential-address rule), requiring all ETCs to utilize similar procedures when signing up applicants in unique living situations would be an effective means of ensuring compliance with such a rule.

STREATS' Comment:

STREATS believes this is a pretty good solution but has a major loophole that needs to be addressed. For example in the District of Columbia one can receive a phone from Safelink and (not or) Assurance Wireless. The system as is presently set up allows for one phone per provider per household, as there is no interoperability amongst carriers to disallow this. STREATS proposes and is willing to execute a centralized verification process implemented by the FCC, which requires all carriers to validate applicants prior to approving new accounts. This ensures one phone per "low income" individual regardless of their living arrangements, and eliminates the possibility for fraud based off the account sensitivity of carriers. This system would not be accessible by carriers and would be audited by the FCC or another contracted governing authority.

Continuation of FCC Comment Request on:

iii. MFY Legal Services recommends that the Commission use room numbers and, if applicable, bed numbers to serve as potentially unique address identifiers for residents of group living facilities.³¹ We seek comment on this recommendation. If implemented, what types of information could constitute unique address identifiers? Who should be responsible for providing such information to the ETC - the consumer or the group living facility? Are there group living situations where a unique identifier would not be available, for example a shelter that houses all of its residents in a single room?

STREATS' Comment:

The opinion shared above applies to this transient population at group homes and shelters. The opinion above is moot when we centralize our thoughts on the individual and not the facility; however, respectfully this has some merit to start the dialogue on the matter. From STREATS' perspective the unique address identifier is easy to implement but really solves nothing- Here's an example why. The CCNV Shelter in Washington DC has 1350 homeless residents in one building. If you assign each resident a bed number there are any number of reasons why that same individual will not be at that same bed number by the time the phone arrives. Quite likely one who has received a phone and goes to another address can get another phone from the other carrier (they really don't have to leave the same shelter to get the other phone). In group homes and shelter facilities there are intake case management professionals who can help individuals with the process of obtaining a phone, and STREATS is prepared to engage in dialogue on setting up a centralized distribution center to ensure that each qualified individual gets their phone, or phones are sent back in cases of not being able to locate the applicant.

STREATS closes with the position that the unique identifier is the individual and not the address of the institution to include room and bed number. Therefore the matter should address the "low income" individual as opposed to the "low income" household when addressing the individual asset – the cell phone.